

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PHARMASTEM THERAPEUTICS, INC.,

Plaintiff,

v.

VIACELL, INC., OBSTETRICAL AND
GYNECOLOGICAL ASSOCIATES, P.A.,
FEMPARTNERS, INC., and CARITAS ST.
ELIZABETH'S MEDICAL CENTER OF
BOSTON, INC.,

Defendants.

CIVIL ACTION NO. 04-11673 (RWZ)

ORAL ARGUMENT IS REQUESTED

DEFENDANTS' MOTION TO STAY PROCEEDINGS

Defendants ViaCell, Inc. ("ViaCell"), Obstetrical Gynecological Associates, P.A. ("OGA"), FemPartners, Inc. ("FemPartners"), and Caritas St. Elizabeth's Medical Center of Boston, Inc. ("St. Elizabeth's") hereby move to stay proceedings pending the decision of the Judicial Panel on Multidistrict Litigation. As grounds therefore, defendants refer the Court to the accompanying Defendants' Memorandum of Law in Support of Their Motion to Stay Proceedings and Declaration of Terese Dillingham and attached Exhibits.

RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1 of the United States District Court for the District of Massachusetts, the undersigned certify that counsel for defendants have conferred in good faith with counsel for PharmaStem Therapeutics, Inc. to resolve or narrow the issues of this Motion, and that the parties were unable to resolve the dispute.

REQUEST FOR ORAL ARGUMENT

Defendants hereby request oral argument on their Motion to Stay Proceedings.

Respectfully submitted,

VIACELL, INC., OBSTETRICAL AND
GYNECOLOGICAL ASSOCIATES, P.A.,
FEMPARTNERS, INC., and CARITAS ST.
ELIZABETH'S MEDICAL CENTER OF
BOSTON, INC.,

By its attorneys,

/s/ Elaine Herrmann Blais

Paul F. Ware, Jr., P.C. (BBO # 516240)

John C. Englander (BBO # 542532)

Elaine Herrmann Blais (BBO # 656142)

GOODWIN PROCTER, LLP

Exchange Place

Boston, MA 02109

(617) 570-1000

Dated: December 13, 2004

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